IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3614 OF 2004

Shri Vishanath K.Shetty ...Applicant

Versus

State of Maharashtra ...Opponent

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Mr.P.K.Dhakephalkar with Mr.Abhay L.Patki

for Applicant.

Mr.A.S.Gadkari, A.P.P. for Opponent.

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CORAM: A.M.KHANWILKAR, J.

SEPTEMBER 6, 2004.

P.C.

. After hearing Counsel for the parties and going through the record, it is seen that cross complaints have been filed. The version of the prosecution in the present case is that the applicant had assaulted the complainant and detained him in lavatory of Gurudev Bar, whereas, the version of the applicant is set out in the complaint filed by the applicant before the higher

police authorities making grievance about the manner in which he has been falsely implicated. Suffice it to observe that custody of the applicant will not be necessary for the investigation of the offence alleged against the applicant. The appropriate course, to my mind, is to grant anticipatory bail to the applicant on the following conditions :

(1) Applicant shall report to the Manikpur Police Station from 8th September 2004 between 11.00 a.m. to 2.00 p.m., initially for a period of four consecutive days from 8th September 2004 and thereafter, as and when required by the Officer of the concerned Police Station, till the investigation is complete.

(2) During the pendency of investigation, the applicant shall not cause to influence the prosecution witnesses or the prosecution evidence in any manner whatsoever.

(3) Applicant be released on personal bail bond with one surety in the amount of Rs.15,000/-

(Rupees Fifteen Thousand).

(4) The applicant shall not leave the jurisdiction of the concerned Police Station without giving prior intimation in that behalf to the concerned Police Station.

. Counsel for the applicant states that the applicant does not hold any passport. That statement be made on affidavit to be filed in this Court by tomorrow.

. Application disposed of in the above terms.

A.M.KHANWILKAR, J.